

VZCZCXYZ0037  
RR RUEHWEB

DE RUEHBM #0157/01 0441602  
ZNR UUUUU ZZH  
R 131602Z FEB 07  
FM AMEMBASSY BUCHAREST  
TO RUEHC/SECSTATE WASHDC 6026  
INFO RUEHGB/AMEMBASSY BAGHDAD 0095  
RUEKJCS/SECDEF WASHINGTON DC  
RUEAWJA/DEPT OF JUSTICE WASHDC

UNCLAS BUCHAREST 000157

SIPDIS

SIPDIS

DEPT FOR L, EUR/NCE AARON JENSEN

E.O. 12958: N/A

TAGS: [CASC](#) [PGOV](#) [PREL](#) [MARR](#) [KJUS](#) [IZ](#) [RO](#)

SUBJECT: COMMUNICATION FROM ROMANIAN MINISTRY OF JUSTICE ON  
MUNAF CASE

REF: A. BUCHAREST 104

[1](#)B. 06 BUCHAREST 1686

[1](#)C. 06 BUCHAREST 1883

[1](#)1. (U) ACTION REQUEST: Post received a note dated February 2, 2007 from the Romanian Ministry of Justice International Law and Treaty Department seeking assistance in AmCit Mohammad Munaf's case. It represents a follow-up to request for assistance in reftels A and C. Post seeks guidance from Department, other agencies in responding to this latest Munaf request.

[1](#)2. (U) Below is the translation of Note.

ROMANIA  
MINISTRY OF JUSTICE  
INTERNATIONAL LAW AND TREATIES DEPARTMENT

To,  
THE EMBASSY OF THE UNITED STATES OF AMERICA IN BUCHAREST  
FYI,  
THE MINISTRY OF FOREIGN AFFAIRS  
THE GENERAL DEPARTMENT FOR FOREIGN AFFAIRS  
THE DIRECTION FOR MIDDLE EAST AND AFRICA

The Ministry of Justice salutes the Embassy of the United States of America and has the honor to request to speed up the answer to our nota verbale no. 133431/2006 of December 29, 2006.

Thus, the embassy is requested to communicate the following:

[1](#)1. If U.S. authorities agree to the hearing by videoconference, as a defendant, of U.S. and Iraqi citizen Mohammad Munaf, for committing the crimes of initiating an association with the purpose of committing terrorist acts as well as of financially supporting this association, (incriminated by art. 35, para 2, Law 535/2004) and complicity to terrorism acts (incriminated by art. 26, Criminal Code; art. 32, para 1 and 2, Law 535/2004; art. 189 para 1 and 2 of the Penal Code), acts for which he was indicted by the General Prosecutor's Office, High Court of Cassation and Justice, Direction for Investigation of Organized Crime and Terrorism together with defendant Omar Hayssam.

[1](#)2. The standpoint of the U.S. authorities with regard to the request of hearing by videoconference of Mr. Munaf as a witness, in the criminal file no. 33970/2005 registered with the Bucharest Court of Appeal, Criminal Section I.

In case of an affirmative answer, the embassy is kindly asked to communicate a date for the two hearings in the two files,

so that the courts can set the dates for the respective hearings, as well as contact information for the U.S. officials who will help with the technical support.

Also, the Ministry of Justice requests the embassy to express its standpoint with regard to a new hearing by videoconference of Muhammad Munaf as a witness in the criminal file no. 5708/2005 registered with the Bucharest Tribunal, Criminal Section I regarding the defendants Omar Hayssam, Omar Mohamad and Qasim E. Esa for the crimes of associating with the goal of committing fraud. The hearing was programmed for June 28, 2007; we, therefore, request the embassy to analyze the possibility of the videoconference hearing of Mr. Munaf as a witness at the set date or earlier.

Please see in the Annex the request for international judicial assistance of the Bucharest Tribunal, Criminal Section I in the file no. 5708/2005, addressed to the Iraqi authorities.

Because the above requests refer to organized crime and terrorism acts and are urgent, the Ministry of Justice kindly requests that the embassy's answer is given in a reasonable time limit.

Also, please let us know, in due time, if any supplementary information is needed so that, on the date of the hearings, all the official procedures are fulfilled.

The Romanian Ministry of Justice sends its appreciation for the provided help and uses this occasion to present its highest regards.

Bucharest, February 2, 2007

End Text  
TAPLIN